



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB4215

by Rep. Mark Batinick

#### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 500/1-15.100  
30 ILCS 500/1-30

Creates the Illinois College Procurement Reform Act. Allows the governing body of a public university to provide by resolution that the Illinois Procurement Code does not apply to the university as provided in the Illinois Procurement Code. Provides that the Board of Higher Education shall administer the Act and may adopt any rules necessary to implement and administer the Act. Amends the Illinois Procurement Code to provide that "State agency" does not apply to those public universities whose governing bodies have adopted a resolution under the Act. Provides that such universities shall procure their needs in a manner substantially in accordance with the requirements of the Code with respect to emerging businesses.

LRB099 12357 NHT 35545 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Illinois College Procurement Reform Act.

6 Section 5. Definitions. In this Act:

7 "Board" means the Board of Higher Education.

8 "Institution" means a public university located in this  
9 State.

10 Section 10. Illinois Procurement Code; applicability. The  
11 governing body of an institution may provide by resolution that  
12 the Illinois Procurement Code does not apply to the institution  
13 as provided in the Illinois Procurement Code.

14 Section 90. Administration; rulemaking. The Board shall  
15 administer this Act. The Board may adopt any rules necessary to  
16 implement and administer this Act.

17 Section 95. The Illinois Procurement Code is amended by  
18 changing Sections 1-15.100 and 1-30 as follows:

19 (30 ILCS 500/1-15.100)

1           Sec. 1-15.100. State agency. "State agency" means and  
2 includes all boards, commissions, agencies, institutions,  
3 authorities, and bodies politic and corporate of the State,  
4 created by or in accordance with the constitution or statute,  
5 of the executive branch of State government and does include  
6 colleges, universities, and institutions under the  
7 jurisdiction of the governing boards of the University of  
8 Illinois, Southern Illinois University, Illinois State  
9 University, Eastern Illinois University, Northern Illinois  
10 University, Western Illinois University, Chicago State  
11 University, Governor State University, Northeastern Illinois  
12 University, and the Board of Higher Education. However, this  
13 term does not apply to public employee retirement systems or  
14 investment boards that are subject to fiduciary duties imposed  
15 by the Illinois Pension Code, to those public universities  
16 whose governing bodies have adopted a resolution under Section  
17 10 of the Illinois College Procurement Reform Act, or to the  
18 University of Illinois Foundation. "State agency" does not  
19 include units of local government, school districts, community  
20 colleges under the Public Community College Act, and the  
21 Illinois Comprehensive Health Insurance Board.

22           (Source: P.A. 90-572, eff. 2-6-98.)

23           (30 ILCS 500/1-30)

24           Sec. 1-30. Applicability to Constitutional Officers and  
25 the Legislative and Judicial Branches; Certain Public

1 Universities.

2 (a) The constitutional officers shall procure their needs  
3 in a manner substantially in accordance with the requirements  
4 of this Code and shall promulgate rules no less restrictive  
5 than the requirements of this Code.

6 (b) The legislative and judicial branches are exempt from  
7 this Code. The legislative and judicial branches shall make  
8 procurements in accordance with rules promulgated to meet their  
9 needs. Procurement rules promulgated by the legislative and  
10 judicial branches may incorporate provisions of this Code.

11 (c) Those public universities whose governing bodies have  
12 adopted a resolution under Section 10 of the Illinois College  
13 Procurement Reform Act shall procure their needs in a manner  
14 substantially in accordance with the requirements of this Code  
15 with respect to emerging businesses.

16 (Source: P.A. 90-572, eff. date - See Sec. 99-5.)